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## UTILITY PATENT APPLICATION TRANSMITTAL

Address to: Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Attorney Docket No.	LEAR 0847 PUS
	Inventor(s) or Appln. Identifier	Eugene S. Dudash, Mark Stanis, L. Keith Hensley, Sanford E. Cook and Kevin J. Fudala

1. This application entitled MOTOR VEHICLE SEAT is:
- a.      A new application under 37 C.F.R. § 1.53(b).
- b. X A      continuation X divisional or      continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/014,875 filed on January 28, 1998, entitled MOTOR VEHICLE SEAT
- c.      A new utility application which claims the benefit of provisional application Serial No.     , filed on     .

Application elements and other attached papers:

2. X Specification (including Claims and Abstract) [Total Pages 12]
3. X Drawings (     informal / X formal) [Total Sheets 5]
4. X Oath or Declaration
- a.      Newly-executed
- b. X Copy from a prior application (37 C.F.R. § 1.63(d))
5.      Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. X This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. X **DELETE** the following inventor(s) named in the prior nonprovisional application:  
Eric A. Smitterberg
- b.      The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

Express

Mail Label No. EL 503 256 508 USDate of Deposit: March 28, 2001Shelly Kean

(Type or print name of person mailing paper)

(Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☒ A Preliminary Amendment is attached.
- b. ☒ Cancel in this application original claims 1-12 of the prior application before calculating the filing fee.
- c. ☒ Please amend the specification by inserting before the first line the following sentence:

"This is a ☐ continuation  
☒ divisional

of copending application(s) serial number 09/014,875 filed on January 28, 1998 which was a divisional of application serial number 08/660,523 filed on June 7, 1996, now patent number 5,769,499 issued June 23, 1998.

US Patent No. 6,223,436

- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	9 -20 =	0	x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	4 -3 =	1	x 80.00	80.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00	0
BASIC FEE (37 C.F.R. § 1.16(a))				710.00
TOTAL OF ABOVE CALCULATIONS				790.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				--
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				--
TOTAL				790.00

10. ☒ A check in the amount of \$ 790.00 is enclosed.

11. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978 :

- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.

## 12. Maintenance of Copendency of Prior Application

☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until \_\_\_\_\_.

13. ☒ An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

a. ☒ Form PTO/SB/08A and PTO/SB/08B (2 sheets)

b. ☒ Copies of references cited

14. ☐ Certified copy of priority document(s)15. ☒ Return Receipt Postcard16. ☐ Other: \_\_\_\_\_17. ☒ Assignments of the invention to Lear Corporation  
having an address of 21557 Telegraph Road, Southfield, Michigan 48034

a. ☐ is attached.

b. ☒ were recorded on June 7, 1996 at Reel 8151, Frame 0133 and on August 28, 1996 at Reel 8110, Frame 0635.

c. ☒ Applicant requests that the above assignee information be published with the application.

## 18. The power of attorney in the prior application is to:

Mark E. Stuenkel  
Name of Attorney of Record

44,365  
Reg. No.

☒ The power appears in the original papers in the prior application.

☐ The power does not appear in the original papers, but was filed on \_\_\_\_\_.

☐ A new power has been executed and is attached.


## 19. Correspondence Address: Please address all future communications to:

Mark E. Stuenkel,  
Brooks & Kushman P.C.  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1351  
Telephone: 248-358-4400; Fax: 248-358-3351

Respectfully submitted,

Eugene S. Dudash, Mark Stanis, L. Keith Hensley,  
Sanford E. Cook and Kevin J. Fudala

Date March 28, 2001

  
Name: Mark E. Stuenkel  
Registration No.: 44,364

☒ Attorney or agent of record  
☐ Filed under Rule 34(a)